

UNOFFICIAL VERSION

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THURSDAY, JANUARY 19, 2012

FORTY-FOURTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker Ramsey.

PRAYER

The proceedings were opened with prayer by Reverend Kenneth Locke of Downtown Presbyterian Church in Nashville, Tennessee, a guest of Senator Henry.

PLEDGE OF ALLEGIANCE

Senator Henry led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 32

Senators present were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

STANDING COMMITTEE REPORTS

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 1680.

GRESHAM, Chairperson
January 18, 2012

The Speaker announced that he had referred Senate Bill No. 1680 to the Committee on Calendar.

HEALTH AND WELFARE

MR. SPEAKER: Your Committee on Health and Welfare begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 1283 with amendment.

CROWE, Chairperson
January 18, 2012

The Speaker announced that he had referred Senate Bill No. 1283 with amendment to the Committee on Calendar.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 2513 through 2639** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced that the following bills were filed for introduction and passed first consideration:

Senate Bill No. 2513 by Senator Tracy.

Motor Vehicles, Titling and Registration -- As introduced, prohibits county clerk from renewing owner's registration and registration plates if the owner has outstanding fines or fees owed to the county or any outstanding criminal warrants within the state. Amends TCA Section 39-14-121 and Title 55, Chapter 4, Part 1.

Senate Bill No. 2514 by Senators Gresham, Henry, Watson, McNally and Tate.

Lottery, Scholarships and Programs -- As introduced, revises initial academic requirements for eligibility and the amount of the award of the Tennessee HOPE scholarship beginning with students entering college in 2015-2016; recommends use of net lottery proceeds for TSAA grants for 10 years beginning with 2015-2016. Amends TCA Title 49, Chapter 4.

Senate Bill No. 2515 by Senators Gresham, Tate, McNally, Henry and Watson.

Lottery, Corporation -- As introduced, requires the general shortfall lottery subaccount to be maintained at \$100 million instead of at \$50 million; requires comptroller to make an annual report on the adequacy of reserves. Amends TCA Section 4-51-111.

Senate Bill No. 2516 by Senator Beavers.

State Government -- As introduced, provides for the designation of the Tennessee Day of Prayer as the first Thursday in May of each calendar year. Amends TCA Title 4.

Senate Bill No. 2517 by Senator Beavers.

Taxes, Sales -- As introduced, changes the date of the sales tax holiday from the first Friday of August to the last Friday of July. Amends TCA Title 67.

Senate Bill No. 2518 by Senator Beavers.

District Attorneys -- As introduced, requires district attorneys to report potential conflicts of interest from serving on public or private boards, commissions or organizations to the attorney general and reporter. Amends TCA Title 8; Title 17; Title 39 and Title 40.

Senate Bill No. 2519 by Senator Beavers.

Guardianship -- As introduced, specifies rights of respondent to petition for appointment of a conservator. Amends TCA Title 30, Chapter 3; Title 33; Title 34 and Title 71.

Senate Bill No. 2520 by Senators Berke and Barnes.

Education, Dept. of -- As introduced, establishes a 25 percent tuition waiver for children of members of the military stationed overseas; provided, that the student qualifies for in-state tuition. Amends TCA Title 49, Chapter 7, Part 1.

Senate Bill No. 2521 by Senator Berke.

Education, Dept. of -- As introduced, enacts the "Green Cleaning Schools Act". Amends TCA Title 49, Chapter 50.

Senate Bill No. 2522 by Senator Berke.

Employees, Employers -- As introduced, enacts the "Lifelong Learning Accounts Act of 2012". Amends TCA Title 4.

Senate Bill No. 2523 by Senator Berke.

Election Laws -- As introduced, requires all municipal and county elections to be nonpartisan. Amends TCA Title 2.

Senate Bill No. 2524 by Senator Berke.

Teachers, Principals and School Personnel -- As introduced, allows teachers who receive evaluations demonstrating an overall performance effectiveness level of "meets expectations" or above in the last two years of the five-year probationary period to receive tenure. Amends TCA Title 49, Chapter 5.

Senate Bill No. 2525 by Senator Berke.

Education -- As introduced, creates a committee to study the teacher evaluation system known as the Tennessee teacher acceleration model (TEAM). Amends TCA Title 49.

Senate Bill No. 2526 by Senator Finney.

Criminal Offenses -- As introduced, provides that punishment for killing a police dog when it is acting in its official capacity is theft and punished according to the value of the animal, including the training, but in no event less than a Class D felony. Amends TCA Title 39.

Senate Bill No. 2527 by Senator Barnes.

Victims' Rights -- As introduced, requires that criminal injury compensation funds made to minors be turned over to chancery or circuit court to be placed in an interest bearing account. Amends TCA Title 16; Title 29 and Title 34.

Senate Bill No. 2528 by Senator Barnes.

Civil Procedure -- As introduced, adds physician assistants to list of medical professionals who are exempt from subpoena to trial in a civil action but who are subject to subpoena to a deposition. Amends TCA Section 24-9-101.

Senate Bill No. 2529 by Senator Barnes.

Safety, Dept. of -- As introduced, directs the department to conduct a study of motorcycle passenger safety, emphasizing the safety of motorcycle riders and passengers under 18, and report its results and recommendations to the House and Senate Transportation Committees. Amends TCA Title 55.

Senate Bill No. 2530 by Senators Yager and Faulk.

Pharmacy, Pharmacists -- As introduced, requires the board of pharmacy to notify licensed pharmacies and pharmacists of changes to applicable rules, statutes, policies, and guidelines; requires the board to maintain a link on its Web site to applicable statutes, rules, policies, and guidelines; requires that licensees maintain at the sites of their practices a copy of the board's statutes, rules, policies, and guidelines. Amends TCA Title 53 and Title 63.

THURSDAY, JANUARY 19, 2012 -- 44TH LEGISLATIVE DAY

Senate Bill No. 2531 by Senators Yager and Faulk.

Controlled Substances -- As introduced, requires healthcare practitioners who are authorized to prescribe controlled substances to query the controlled substance database concerning the prescription history of certain persons and to make appropriate reports. Amends TCA Title 53 and Title 63.

Senate Bill No. 2532 by Senator Yager.

Beer -- As introduced, restores language to clarify that the governmental entity, committee or board that issues a beer permit or license is the governmental entity to revoke or suspend such permit or license. Amends TCA Section 57-5-108.

Senate Bill No. 2533 by Senator Yager.

State Inmates -- As introduced, establishes reimbursement rate for counties holding state inmates as adjusted based upon the percentage of change in the average consumer price index as published by the United States Department of Labor. Amends TCA Section 41-8-106.

Senate Bill No. 2534 by Senators Yager and Johnson.

Banks and Financial Institutions -- As introduced, alters and adds limits to acquisition and installment account handling charges for loans. Amends TCA Section 45-5-403(b).

Senate Bill No. 2535 by Senator Yager.

Taxes, Income -- As introduced, requires annual adjustment of the Hall income tax exemption income levels for persons 65 years of age or older to reflect any increase in the average consumer price index. Amends TCA Title 67, Chapter 2.

Senate Bill No. 2536 by Senators Yager and Mr. Speaker Ramsey.

Taxes, Exemption and Credits -- As introduced, increases the Hall income tax exemption for taxpayers 65 years of age or older to \$36,200 for single filers and \$47,000 for persons filing jointly beginning January 1, 2013. Amends TCA Title 67, Chapter 2.

Senate Bill No. 2537 by Senator Yager.

Graysville -- As introduced, subject to local approval, requires the mayor of Graysville be elected on a ballot separate from that of candidates for commissioner. Amends Chapter 230 of the Private Acts of 1992; as amended.

Senate Bill No. 2538 by Senators McNally and Yager.

Education, Higher -- As introduced, requires, in moving from the enrollment-based higher education funding formula to the outcomes-based funding formula, a 10-year period in which the hold harmless provision of the enrollment-based funding formula is phased out. Amends TCA Title 49, Chapter 7, Part 2.

Senate Bill No. 2539 by Senator Henry.

Education -- As introduced, authorizes and encourages LEAs to partner with individuals, community and faith-based groups and organizations, and for-profit and non-profit entities to devise parental involvement programs that reward schools and classes and honor parents for participating in parenting classes that increase parental involvement in education and schools. Amends TCA Title 49, Chapter 6, Part 70.

Senate Bill No. 2540 by Senator Bell.

Traffic Safety -- As introduced, permits motorcycle drivers and passengers, 21 years or older, to refrain from wearing a crash helmet with a healthcare coverage limit of at least \$15,000. Amends TCA Section 55-9-302.

Senate Bill No. 2541 by Senator Bell.

Traffic Safety -- As introduced, removes the requirement that any driver or passenger of a motorcycle 21 years of age or older wear a motorcycle helmet. Amends TCA Section 55-9-302.

Senate Bill No. 2542 by Senator Campfield.

Medical Occupations -- As introduced, prevents healthcare practitioners or facilities from asking a patient about gun ownership, possession or storage unless certain factors are present and prevents insurance companies from discriminating against an applicant or insured based upon gun ownership. Amends TCA Title 56; Title 63 and Title 68.

Senate Bill No. 2543 by Senator Campfield.

Pest Control -- As introduced, requires certain pest control applicators to acquire 15 points of continuing education every three years. Amends TCA Title 62, Chapter 21, Part 1.

Senate Bill No. 2544 by Senator Massey.

Alcohol Offenses, Sales -- As introduced, creates offense for person under 21 to enter establishment selling for off-premise consumption intoxicating liquors unless accompanied by a parent, legal guardian or spouse 21 years of age or older; creates offense for visibly intoxicated person to enter any such establishment. Amends TCA Title 39, Chapter 14, Part 4; Title 39, Chapter 15, Part 4 and Title 57, Chapter 3.

Senate Bill No. 2545 by Senator Gresham.

Education -- As introduced, includes "maintaining a safe environment" among the reasons for prohibiting persons other than staff, students, parents and persons with lawful business from entering school property during school hours. Amends TCA Title 49.

Senate Bill No. 2546 by Mr. Speaker Ramsey.

Highway Signs -- As introduced, names bridge in Sullivan County in honor of the late Richard Lee Edwards, Sr.

Senate Bill No. 2547 by Senator Kelsey.

Teachers, Principals and School Personnel -- As introduced, requires local boards of education to adopt dress codes for professional employees. Amends TCA Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 5.

Senate Bill No. 2548 by Senator Ketron.

Consumer Protection -- As introduced, requires certain roofing contractors and agents to make certain disclosures to solicited persons where an insurance claim has been made or is anticipated for the provision of roofing goods or services. Amends TCA Title 47, Title 56 and Title 62.

Senate Bill No. 2549 by Senator Ketron.

Forfeiture of Assets -- As introduced, provides that 50 percent of the revenue from the sale of certain forfeited vehicles shall go to the state and the remainder to a local government when the state seizes the vehicle but the local government confiscates, tows, stores or conducts the sale of the vehicle. Amends TCA Title 40, Chapter 33 and Title 55, Chapter 10, Part 4.

Senate Bill No. 2550 by Senator Ketron.

Registers of Deeds -- As introduced, allows a county register of deeds to assume certain functions and duties if the register receives endorsement from the existing County Records Commission or county executive. Amends TCA Title 8, Chapter 13.

Senate Bill No. 2551 by Senator Ketron.

Sheriffs -- As introduced, decreases the amount of time that a sheriff must wait before disposing of certain unclaimed property in the sheriff's custody from six months to two months from the date of acquisition. Amends TCA Title 8, Chapter 8.

Senate Bill No. 2552 by Senator Ketron.

Marriage -- As introduced, allows appointed and elected municipal court judges to solemnize marriages in any county of the state rather than in just the municipality in which the judge has jurisdiction. Amends TCA Title 36, Chapter 3, Part 3.

Senate Bill No. 2553 by Senator Ketron.

Hospitals and Healthcare Facilities -- As introduced, revises the requirements for a nursing home's certificate of need for qualified partial relocation of certain nursing homes. Amends TCA Title 68, Chapter 11, Part 16.

Senate Bill No. 2554 by Senator Ketron.

Insurance Companies, Agents, Brokers, Policies -- As introduced, enacts the NCOIL model "Unclaimed Life Insurance Benefits Act". Amends TCA Title 56 and Title 66, Chapter 29.

Senate Bill No. 2555 by Senator Ketron.

Criminal Offenses -- As introduced, deletes portion of offense of harassment that is committed by communicating with or transmitting or displaying an image to another in a certain manner. Amends TCA Title 39.

Senate Bill No. 2556 by Senator Ketron.

Criminal Offenses -- As introduced, limits the offense of harassment by display of an image to cases in which the defendant intends the image to intimidate the victim, the victim is likely to see the image, a reasonable person is intimidated by the image and the victim is actually intimidated. Amends TCA Title 39 and Title 49.

Senate Bill No. 2557 by Senator Ketron.

Financial Responsibility Law -- As introduced, limits the noneconomic damages a person may recover in a car accident if that person owns or operates a vehicle without financial responsibility. Amends TCA Title 29; Title 39; Title 55, Chapter 12 and Title 56, Chapter 7.

Senate Bill No. 2558 by Senator Ketron.

Physicians and Surgeons -- As introduced, clarifies that physicians must report injuries or wounds arising out of methamphetamine laboratory incidents to law enforcement; provides immunity from liability for good faith reports. Amends TCA Title 38; Title 63 and Title 68.

Senate Bill No. 2559 by Senator Ketron.

Health Care -- As introduced, requires healthcare providers to report injuries that appear to result from an illegal female genital mutilation. Amends TCA Title 38; Title 39; Title 63 and Title 68.

Senate Bill No. 2560 by Senator Ketron.

Taxes, Exemption and Credits -- As introduced, exempts from sales tax the repair and refurbishment services performed on out-of-state aircraft by an authorized service facility designated by an original equipment manufacturer, where the aircraft is removed out of state within 15 days of completion of work. Amends TCA Title 67, Chapter 6, Part 3.

Senate Bill No. 2561 by Senator Ketron.

Unemployment Compensation -- As introduced, conforms language under the employment security law concerning amount of retainage by a contractor entering into a contract with the state or local governments to conform to five percent as authorized generally for contractors. Amends TCA Title 50, Chapter 7, Part 4.

Senate Bill No. 2562 by Senator Ketron.

Banks and Financial Institutions -- As introduced, makes it a Class A misdemeanor, subject to a fine only, and a violation of the "Consumer Protection Act", for a financial institution to fail to release funds received from an insurance company for repairs to a residence in certain circumstances. Amends TCA Title 45 and Title 47.

Senate Bill No. 2563 by Senator Ketron.

Alcoholic Beverages -- As introduced, allows restaurant to have minimum of 40 seats instead of 75 seats for purpose of selling alcoholic beverages; clarifies that limited service restaurant may sell more than 50 percent food and still qualify for license. Amends TCA Title 57, Chapter 4.

Senate Bill No. 2564 by Senator Ketron.

Contractors -- As introduced, revises certain requirements concerning retainage. Amends TCA Title 66, Chapter 34, Part 1.

Senate Bill No. 2565 by Senator Ketron.

Child Labor -- As introduced, specifies that no public funds of this state or any political subdivision thereof shall be allocated to the regulation or enforcement of any change made to certain rules regarding the employment of children in an agricultural setting. Amends TCA Title 43; Title 50, Chapter 3 and Title 50, Chapter 5.

Senate Bill No. 2566 by Senator Yager.

Sentencing -- As introduced, makes elected and appointed public officials ineligible for diversion for criminal offenses committed in their official capacity or that involve the duties of their offices. Amends TCA Title 39 and Title 40.

Senate Bill No. 2567 by Senator McNally.

Criminal Procedure -- As introduced, provides that in a criminal case the trial judge has no authority to grant a defendant a new trial or set aside the verdict because the judge disagrees with the jury about the weight of the evidence. Amends TCA Title 40, Chapter 18.

Senate Bill No. 2568 by Senator McNally.

Board of Regents -- As introduced, permits a community college to begin operating at a location in the service area of another community college that has ceased operations at the location. Amends TCA Title 49, Chapter 7 and Title 49, Chapter 8.

Senate Bill No. 2569 by Senator Barnes.

Child Custody and Support -- As introduced, amends the Criminal Injuries Compensation Fund to provide an attachment or lien on the judgment to satisfy child support arrearages. Amends TCA Title 29, Chapter 13.

Senate Bill No. 2570 by Senator Barnes.

Lottery, Scholarships and Programs -- As introduced, broadens eligibility for the HOPE scholarship by removing the requirement that a military parent's home of record or residence is Tennessee if a student qualifies to be classified as an in-state student and meets other specified requirements. Amends TCA Title 49, Chapter 4, Part 9.

THURSDAY, JANUARY 19, 2012 -- 44TH LEGISLATIVE DAY

Senate Bill No. 2571 by Senator Barnes.

Taxes, Sales -- As introduced, revises requirements for apportionment of state sales taxes to eligible municipalities that plan economic development projects; authorizes municipalities to include subsequently annexed property as a part of a project under certain circumstances. Amends TCA Title 6, Chapter 51, Part 1; Title 7, Chapter 40, Part 1 and Section 67-6-103.

Senate Bill No. 2572 by Senator Finney.

Taxes, Inheritance Gift -- As introduced, phases out the inheritance tax over a three-year period beginning with tax year 2013 and ending with tax year 2015. Amends TCA Title 67, Chapter 8.

Senate Bill No. 2573 by Senator Finney.

Taxes, Income -- As introduced, phases out the Hall income tax over a three-year period beginning in tax year 2013 and ending with tax year 2015; holds local governments harmless from the loss of revenue resulting from the incremental reduction and repeal of the tax. Amends TCA Title 67, Chapter 2, Part 1.

Senate Bill No. 2574 by Senator Campfield.

Taxes, Exemption and Credits -- As introduced, exempts the sale of all gold and silver bullion that is used as a medium of exchange, security, or commodity from sales tax. Amends TCA Title 67, Chapter 6.

Senate Bill No. 2575 by Senator Berke.

Schools, Charter -- As introduced, provides that all records of a public charter school are open records to the same extent as those of public schools operated by LEAs; provides that the names of the sponsors and the governing body are open records. Amends TCA Title 49, Chapter 13.

Senate Bill No. 2576 by Senators Berke and Stewart.

Highway Signs -- As introduced, designates a certain segment of State Highway 28 in Sequatchie and Marion Counties as "Veterans Memorial Park Highway".

Senate Bill No. 2577 by Senator Ketron.

Consumer Protection -- As introduced, prohibits a person from transmitting or causing another person to transmit an unsolicited facsimile advertisement to any public elementary or secondary school or local education agency. Amends TCA Title 65, Chapter 4, Part 5.

Senate Bill No. 2578 by Senator Southerland.

Teachers, Principals and School Personnel -- As introduced, requires local board of education to consider a transferring teacher's evaluations from a prior LEA in making tenure decisions; allows the local board to shorten the probationary period for a teacher transferring into the LEA under certain circumstances. Amends TCA Section 49-1-302 and Title 49, Chapter 5.

Senate Bill No. 2579 by Senator Southerland.

Education -- As introduced, classifies schools teaching high school courses in grades 7 or 8 as secondary schools. Amends TCA Title 49, Chapter 4; Title 49, Chapter 5 and Title 49, Chapter 6.

Senate Bill No. 2580 by Senator Campfield.

Welfare -- As introduced, requires applicants for TANF benefits to undergo a drug test before receiving such benefits; restricts TANF benefits for positive drug test results under certain circumstances. Amends TCA Title 4, Chapter 3, Part 12; Title 4, Chapter 3, Part 18 and Title 71.

Senate Bill No. 2581 by Senator Campfield.

Physicians and Surgeons -- As introduced, establishes requirements on certain healthcare providers when engaged in interventional pain management. Amends TCA Title 63.

Senate Bill No. 2582 by Senator Campfield.

Firearms and Ammunition -- As introduced, limits reproduction of handgun carry permit records. Amends TCA Section 10-7-504.

Senate Bill No. 2583 by Senator Campfield.

Welfare -- As introduced, requires the reduction of Temporary Assistance to Needy Families (TANF) payments for parents or caretakers of TANF recipients whose children fail to maintain satisfactory progress in school. Amends TCA Title 71, Chapter 3, Part 1.

Senate Bill No. 2584 by Senator Campfield.

Campaigns and Campaign Finance -- As introduced, limits amount candidate may personally loan campaign to \$100,000 per election but does not limit amount candidate may contribute to campaign; creates voluntary spending limits for certain state and local candidates. Amends TCA Title 2, Chapter 10.

Senate Bill No. 2585 by Senator Campfield.

Campaigns and Campaign Finance -- As introduced, limits amount candidate may personally loan campaign to \$100,000 per election but does not limit amount candidate may contribute to campaign; creates voluntary spending limits for statewide candidates. Amends TCA Title 2, Chapter 10.

Senate Bill No. 2586 by Senator Campfield.

Civil Procedure -- As introduced, requires a plaintiff receiving in a judgment less than 80 percent of the settlement amount offered in a lawsuit or a defendant owing a judgment more than 80 percent of the settlement amount offered in a lawsuit prior to trial to pay certain litigation expenses of the opposing party. Amends TCA Title 25.

Senate Bill No. 2587 by Senator Yager.

Drugs, Prescription -- As introduced, revises the list of prescribed medication for patients at a pain management clinic. Amends TCA Title 63, Chapter 1.

Senate Bill No. 2588 by Senator Marrero.

General Assembly -- As introduced, requires fiscal notes for bills that criminalize activities, or enhance existing criminal penalties, to include a statement on the impact upon Tennessee if such bill does not become law. Amends TCA Title 3, Chapter 2, Part 1.

Senate Bill No. 2589 by Senator Marrero.

Students -- As introduced, requires the office of research and education accountability to perform a study of the effect of school day start time on academic performance. Amends TCA Title 49.

Senate Bill No. 2590 by Senator Marrero.

Criminal Offenses -- As introduced, grants immunity from prosecution of prostitution where a person is a victim of involuntary labor servitude, sexual servitude, or where the person is a victim as defined under the federal "Trafficking Victims Protection Act". Amends TCA Title 39 and Title 40.

Senate Bill No. 2591 by Senator Marrero.

Education -- As introduced, requires interest inventories to be administered to high school juniors and college sophomores to assist students in career decisions. Amends TCA Title 49.

Senate Bill No. 2592 by Senator Harper.

State Inmates -- As introduced, requires the Department of Correction to conduct a study on the number of inmates sentenced pursuant to the "Three Strikes Law". Amends TCA Section 40-35-120.

Senate Bill No. 2593 by Senator Harper.

Local Government, General -- As introduced, prohibits a local government from requiring a private employer to pay higher wages than required by state or federal law. Amends TCA Title 50, Chapter 2, Part 1.

Senate Bill No. 2594 by Senator Harper.

Business and Commerce -- As introduced, repeals the "Equal Access to Intrastate Commerce Act". Amends TCA Section 4-21-102, Title 7, Chapter 51.

Senate Bill No. 2595 by Senator Harper.

Education -- As introduced, limits to two years permits issued to teach a subject in public schools when qualified teachers for such subject are unavailable. Amends TCA Section 49-5-106.

Senate Bill No. 2596 by Senator Ketron.

Insurance Companies, Agents, Brokers, Policies -- As introduced, exempts certain insurers of commercial risk insurance from filing with the Commissioner of Commerce and Insurance all rates, supplementary rate information, policy forms and endorsements; requires such insurers to place a written disclaimer of such exemption in the policy or application. Amends TCA Title 56, Chapter 5.

Senate Bill No. 2597 by Senator Ketron.

Insurance Companies, Agents, Brokers, Policies -- As introduced, authorizes an insurer to make, offer, or permit a preference or distinction in certain insurance policies based on membership in certain groups that are actuarially justified and not excessive, inadequate or unfairly discriminatory; authorizes the Commissioner of Commerce and Insurance to examine such insurers for compliance. Amends TCA Section 56-5-315 and Title 56, Chapter 8.

Senate Bill No. 2598 by Senator Ketron.

Radio and Television -- As introduced, designates as confidential and not subject to open records laws any records obtained by or disclosed to a municipality or county by a cable or video service provider for the purpose of an audit or review. Amends TCA Title 7, Chapter 59, Part 3 and Section 10-7-504.

Senate Bill No. 2599 by Senator Ketron.

Credit and Debit Cards -- As introduced, redefines a qualifying organization to employ at least 200 Tennessee residents, instead of 100. Amends TCA Title 45, Chapter 2, Part 19.

Senate Bill No. 2600 by Senator Ketron.

Banks and Financial Institutions -- As introduced, increases the work hours for a bona fide executive officer from 30 to 35 when determining whether a promissory note is considered an investment certificate. Amends TCA Title 45, Chapter 5.

Senate Bill No. 2601 by Senator Watson.

Libraries -- As introduced, clarifies existing law regarding term length and board membership of city and county library boards. Amends TCA Title 10, Chapter 3.

Senate Bill No. 2602 by Senator Beavers.

Driver Licenses -- As introduced, requires that all written and oral examinations administered by the Department of Safety for issuance of driver licenses, intermediate driver licenses, temporary driver licenses and temporary intermediate driver licenses be in English only. Amends TCA Title 55, Chapter 50, Part 3.

Senate Bill No. 2603 by Senator Beavers.

County Boundaries -- As introduced, requires the division of property assessments to determine whether the detachment of certain property from Davidson County and the attachment of the property to Wilson County would be contrary to the provisions of Article X, Section 4 of the Constitution of Tennessee concerning the area of a county and the distance from a county line to a courthouse of an adjoining county.

Senate Bill No. 2604 by Senator Beavers.

Bail, Bail Bonds -- As introduced, declares a defendant who is unlawfully present in the United States and has committed certain traffic violations to be deemed a risk of flight for bail purposes; authorizes clerks to set bail for such defendants at a higher amount than normally permitted. Amends TCA Title 39; Title 40 and Title 55.

Senate Bill No. 2605 by Senator Beavers.

Sexual Offenses -- As introduced, clarifies that law permits prosecution and conviction for displaying sexual activity to a minor by electronic communication regardless of whether the victim is a minor or an undercover police officer posing as a minor. Amends TCA Title 39.

Senate Bill No. 2606 by Senator Beavers.

Criminal Offenses -- As introduced, creates new Class A felony theft provision if the amount stolen is 250,000 or more; allows state to aggregate value of property stolen into single count if the conduct arose from a common scheme; and changes venue for all offenses graded by value. Amends TCA Title 39, Chapter 14, Part 1.

Senate Bill No. 2607 by Senator Beavers.

DUI Offenses -- As introduced, increases penalty for violation of DUI statute when child under 18 is in the vehicle to require that the mandatory minimum 30-day sentence for this offense be served consecutive to any sentence received for a violation of specified other alcohol-related offenses. Amends TCA Title 55, Chapter 10, Part 4.

Senate Bill No. 2608 by Senator Ketron.

Contractors -- As introduced, requires the penalty for engaging in the business of a contractor without a license be adjusted every two years to reflect the percentage of change in the average CPI, all items-city average; requires the board to publish each adjusted amount on its Web site. Amends TCA Title 62, Chapter 6 and Title 66.

Senate Bill No. 2609 by Senator Burks.

Medical Occupations -- As introduced, provides immunity to medical doctor or osteopathic physician who makes a report to law enforcement regarding an employee's unauthorized use of the doctor or physician's DEA registration number to write prescriptions. Amends TCA Title 63, Chapter 9 and Title 63, Chapter 6.

Senate Bill No. 2610 by Senator Burks.

Landlord and Tenant -- As introduced, limits application of the "Uniform Residential Landlord and Tenant Act" to counties having a population of more than 75,000 instead of 68,000. Amends TCA Section 66-28-102.

Senate Bill No. 2611 by Senator Haynes.

Education -- As introduced, authorizes and encourages LEAs to partner with individuals, community and faith-based groups and organizations, and for-profit and non-profit entities to devise parental involvement programs that reward schools and classes and honor parents for participating in parenting classes that increase parental involvement in education and schools. Amends TCA Title 49, Chapter 6, Part 70.

Senate Bill No. 2612 by Senator Tracy.

Railroads -- As introduced, changes deadline for submission of annual report concerning railroad companies' affairs to the Department of Transportation from February 1 to February 15. Amends TCA Section 5-5-118; Title 7; Section 35-3-108; Section 55-8-147; Title 57, Chapter 4; Title 64, Chapter 2; Title 65 and Section 69-1-114.

Senate Bill No. 2613 by Senators Tracy, Massey, Beavers, Ketron and Southerland.

Driver Licenses -- As introduced, requires visible full face color photograph of a licensee. Amends TCA Title 55.

Senate Bill No. 2614 by Senator Tracy.

Highways, Roads and Bridges -- As introduced, revises structure and operation of certain county highway departments. Amends TCA Title 54, Chapter 7.

Senate Bill No. 2615 by Senator Tracy.

TennCare -- As introduced, enacts an initiative to improve program integrity in the CoverKids and TennCare programs. Amends TCA Title 56 and Title 71.

Senate Bill No. 2616 by Senator Tracy.

Teachers, Principals and School Personnel -- As introduced, establishes a pay system for LEA instructional personnel based on performance. Amends TCA Title 49.

Senate Bill No. 2617 by Senator Tracy.

Motor Vehicles -- As introduced, inserts an omitted reference to the 10-day period within which an owner of a garage, trailer park or lot must report abandoned vehicles; increases, from 14 to 20 days, the grace period for certain members of the military to renew registrations upon returning to Tennessee after being stationed overseas. Amends TCA Title 55.

Senate Bill No. 2618 by Senator Tracy.

Dentists and Dentistry -- As introduced, authorizes collaborative practice between dentists and dental hygienists in certain circumstances. Amends TCA Section 63-5-108.

Senate Bill No. 2619 by Senator Faulk.

Criminal Procedure -- As introduced, eliminates the 72-hour time period restriction on determinations concerning good cause where the surrender is based on a conditional or final judgment of forfeiture issued by the court. Amends TCA Section 40-11-137.

Senate Bill No. 2620 by Senator Faulk.

Food and Food Products -- As introduced, requires that sorghum molasses sold or offered for sale in Tennessee must be labeled as 100 percent pure or not pure; authorizes any person who suffers an injury or death, or an ascertainable loss of money or property, as a result of a violation of the bill to bring an action individually to recover actual damages. Amends TCA Title 53.

THURSDAY, JANUARY 19, 2012 -- 44TH LEGISLATIVE DAY

Senate Bill No. 2621 by Senator Crowe.

Taxes, Sales -- As introduced, exempts farm gates from sales and use taxes. Amends TCA Title 67, Chapter 6.

Senate Bill No. 2622 by Senator Crowe.

Taxes, Sales -- As introduced, exempts funeral merchandise from sales and use taxes. Amends TCA Title 67, Chapter 6, Part 3.

Senate Bill No. 2623 by Senator Crowe.

Taxes, Exemption and Credits -- As introduced, exempts from taxation the purchases or leases of golf carts, equipment and lawn care products by golf course operators. Amends TCA Title 67, Chapter 6, Part 3.

Senate Bill No. 2624 by Senator Crowe.

Licenses -- As introduced, provides that a person who has been licensed as a court reporter for at least five years and who is at least 55 years of age is not required to obtain continuing education credits as a condition for license renewal. Amends TCA Title 20, Chapter 9, Part 6.

Senate Bill No. 2625 by Senator Crowe.

Employees, Employers -- As introduced, clarifies the employee's 30-minute rest break or meal period to include a right to waive the meal period or break. Amends TCA Title 50.

Senate Bill No. 2626 by Senator Crowe.

Taxes, Exemption and Credits -- As introduced, expands the sales tax exemption on motor vehicles purchased by members of military services and the active National Guard, to members stationed outside Tennessee, if they submit proof that Tennessee is their permanent residence. Amends TCA Section 67-6-303.

Senate Bill No. 2627 by Senator Crowe.

Funeral Directors and Embalmers -- As introduced, extends the date from December 31, 2010, to June 30, 2011, for apprentices and mortuary school students to complete all requirements to become licensed by the board as a funeral director or embalmer. Amends TCA Section 62-5-312.

Senate Bill No. 2628 by Senator Crowe.

Traffic Safety -- As introduced, prohibits people from jumping off bridges that are 20 feet or more in height, punishable as Class C misdemeanor by fine only not to exceed \$50.00. Amends TCA Title 54, Chapter 11, Part 2 and Title 55, Chapter 8.

Senate Bill No. 2629 by Senator Johnson.

Education -- As introduced, requires notification to parents at the beginning of the school year and any time school fees are solicited or collected that payment of school fees is voluntary. Amends TCA Section 49-2-110.

Senate Bill No. 2630 by Senator Johnson.

Education -- As introduced, changes from September 30 to July 31 the date by which children must reach age four in order to enter pre-K or age five to enter kindergarten; permits a child to enter kindergarten at age four, if the parent requests entrance and the child is sufficiently mature. Amends TCA Title 49, Chapter 6.

Senate Bill No. 2631 by Senator Johnson.

Open Meetings -- As introduced, decreases from 30 to 20 days from receipt of plan, the time within which the office of open records counsel must report back to a governing body as to whether the governing body's plan for electronic communication between members complies with the open meetings laws. Amends TCA Title 8, Chapter 44.

Senate Bill No. 2632 by Senator Johnson.

Motor Vehicles -- As introduced, directs the Department of Safety to ensure the liability insurance requirements are equally applied to all motor carriers. Amends TCA Title 5, Chapter 8; Title 7, Chapter 51; Title 55, Chapter 4; Title 55, Chapter 3; Title 56, Chapter 7; Title 65, Chapter 15 and Title 67, Chapter 4.

Senate Bill No. 2633 by Senator Johnson.

Licenses -- As introduced, increases the minimum fees for unrestricted initial staff leasing company licenses and renewals thereof from \$100 for residents and \$150 for nonresidents to \$150 and \$200 respectively. Amends TCA Title 56, Chapter 56 and Title 62, Chapter 43.

Senate Bill No. 2634 by Senator Johnson.

Insurance, Health, Accident -- As introduced, authorizes insurers to offer individuals health insurance policies in Tennessee that have been approved for issuance in other states. Amends TCA Title 56.

Senate Bill No. 2635 by Senator Johnson.

Teachers, Principals and School Personnel -- As introduced, revises certain provisions concerning dismissal or suspension of teachers. Amends TCA Title 49, Chapter 5, Part 5.

Senate Bill No. 2636 by Senator Johnson.

State Government -- As introduced, requires the Commissioner of Economic and Community Development to release or disclose certain confidential documents within two years from such designation instead of five years. Amends TCA Title 4 and Title 67, Chapter 1, Part 17.

Senate Bill No. 2637 by Senator Johnson.

Remedies and Special Proceedings -- As introduced, authorizes the award of punitive damages in a civil action against a defendant based on vicarious liability under certain circumstances. Amends TCA Title 29.

Senate Bill No. 2638 by Senator Johnson.

Civil Procedure -- As introduced, removes judicial discretion to apportion costs and permits recovery of certain litigation costs by the successful party on motions to dismiss. Amends TCA Title 20; Title 25; Title 27 and Title 29.

Senate Bill No. 2639 by Senator Berke.

Teachers, Principals and School Personnel -- As introduced, allows teachers evaluated as "meeting expectations" to be eligible for tenure on the same basis as those teachers evaluated as "above expectations" and "significantly above expectations". Amends TCA Title 49, Chapter 5, Part 5.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 2456 through 2460 and 2462 through 2512** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

Senate Bill No. 2456 referred to the Committee on Judiciary.

Senate Bill No. 2457 referred to the Committee on Transportation and Safety.

Senate Bill No. 2458 referred to the Committee on Transportation and Safety.

Senate Bill No. 2459 referred to the Committee on Health and Welfare.

Senate Bill No. 2460 referred to the Committee on Transportation and Safety.

Senate Bill No. 2462 referred to the Committee on Government Operations.

Senate Bill No. 2463 referred to the Committee on Government Operations.

Senate Bill No. 2464 referred to the Committee on Government Operations.

Senate Bill No. 2465 referred to the Committee on State and Local Government.

Senate Bill No. 2466 referred to the Committee on Transportation and Safety.

Senate Bill No. 2467 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 2468 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 2469 referred to the Committee on Transportation and Safety.

Senate Bill No. 2470 referred to the Committee on Transportation and Safety.

Senate Bill No. 2471 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 2472 referred to the Committee on Education.

Senate Bill No. 2473 Local bill -- held on desk.

Senate Bill No. 2474 referred to the Committee on State and Local Government.

Senate Bill No. 2475 referred to the Committee on State and Local Government.

Senate Bill No. 2476 referred to the Committee on Judiciary.

Senate Bill No. 2477 referred to the Committee on Transportation and Safety.

Senate Bill No. 2478 referred to the Committee on Education.

Senate Bill No. 2479 referred to the Committee on Transportation and Safety.

Senate Bill No. 2480 referred to the Committee on Judiciary.

Senate Bill No. 2481 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 2482 referred to the Committee on Transportation and Safety.

Senate Bill No. 2483 referred to the Committee on Education.

Senate Bill No. 2484 referred to the Committee on Education.

Senate Bill No. 2485 referred to the Committee on Transportation and Safety.

Senate Bill No. 2486 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 2487 referred to the Committee on Judiciary.

Senate Bill No. 2488 referred to the Committee on Education.

Senate Bill No. 2489 referred to the Committee on Judiciary.

Senate Bill No. 2490 referred to the Committee on State and Local Government.

Senate Bill No. 2491 referred to the Committee on State and Local Government.

Senate Bill No. 2492 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 2493 referred to the Committee on Education.

Senate Bill No. 2494 referred to the Committee on Education.

Senate Bill No. 2495 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 2496 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 2497 referred to the Committee on Judiciary.

Senate Bill No. 2498 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 2499 referred to the Committee on Transportation and Safety.

Senate Bill No. 2500 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 2501 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 2502 referred to the Committee on Education.

Senate Bill No. 2503 referred to the Committee on State and Local Government.

Senate Bill No. 2504 referred to the Committee on State and Local Government.

Senate Bill No. 2505 referred to the Committee on Transportation and Safety.

Senate Bill No. 2506 referred to the Committee on Education.

Senate Bill No. 2507 referred to the Committee on Judiciary.

Senate Bill No. 2508 referred to the Committee on Judiciary.

Senate Bill No. 2509 referred to the Committee on Transportation and Safety.

Senate Bill No. 2510 referred to the Committee on Judiciary.

Senate Bill No. 2511 referred to the Committee on Education.

Senate Bill No. 2512 referred to the Committee on Judiciary.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 516 through 519**; and **Senate Resolution No. 75** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 516 by Senator Southerland.
Memorials, Retirement -- Captain Terry Webb.

Senate Joint Resolution No. 517 by Senator Southerland.
Memorials, Retirement -- Detective John Huffine.

Senate Joint Resolution No. 518 by Senator Southerland.
Memorials, Sports -- Greeneville High School boys' cross country team, TSSAA Class A/AA State Champion.

Senate Joint Resolution No. 519 by Senator Southerland.
Memorials, Sports -- Greeneville High School girls' cross country team, TSSAA Class A/AA State Runners-Up.

Senate Resolution No. 75 by Senator Berke.
General Assembly, Confirmation of Appointment -- Tom Griscom, Tennessee board of regents.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 556, 558, 560 and 562**; **Senate Joint Resolutions Nos. 507 through 512, 514 and 515**; and **Senate Resolutions Nos. 71 through 74** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

THURSDAY, JANUARY 19, 2012 -- 44TH LEGISLATIVE DAY

House Joint Resolution No. 556 -- Memorials, Death -- Wilma Maples.

The Speaker announced that he had referred House Joint Resolution No. 556 to the Committee on Calendar.

House Joint Resolution No. 558 -- Memorials, Recognition -- National Cattleman's Beef Association Convention and Trade Show.

The Speaker announced that he had referred House Joint Resolution No. 558 to the Committee on Calendar.

House Joint Resolution No. 560 -- Memorials, Personal Occasion -- John and Shirley Gadd, 60th wedding anniversary.

The Speaker announced that he had referred House Joint Resolution No. 560 to the Committee on Calendar.

House Joint Resolution No. 562 -- Memorials, Death -- Wolfred Carlock Stooksbury.

The Speaker announced that he had referred House Joint Resolution No. 562 to the Committee on Calendar.

Senate Joint Resolution No. 507 -- General Assembly, Studies -- Establishes a Special Joint Legislative Committee to study property tax relief for 100 percent disabled property owners.

The Speaker announced that he had referred Senate Joint Resolution No. 507 to the Committee on Delayed Bills.

Senate Joint Resolution No. 508 -- Memorials, Death -- Dr. Grover C. Jewell.

The Speaker announced that he had referred Senate Joint Resolution No. 508 to the Committee on Calendar.

Senate Joint Resolution No. 509 -- Memorials, Death -- Charlie Reagan.

The Speaker announced that he had referred Senate Joint Resolution No. 509 to the Committee on Calendar.

Senate Joint Resolution No. 510 -- Memorials, Death -- W.G. "Dub" Currie.

The Speaker announced that he had referred Senate Joint Resolution No. 510 to the Committee on Calendar.

Senate Joint Resolution No. 511 -- Memorials, Heroism -- Lance Corporal Cody Evans.

The Speaker announced that he had referred Senate Joint Resolution No. 511 to the Committee on Calendar.

Senate Joint Resolution No. 512 -- Memorials, Sports -- Friendship Christian School football team, 2011 Class 2A State Champion.

THURSDAY, JANUARY 19, 2012 -- 44TH LEGISLATIVE DAY

The Speaker announced that he had referred Senate Joint Resolution No. 512 to the Committee on Calendar.

Senate Joint Resolution No. 514 -- Memorials, Recognition -- Fred J. Page High School, National Blue Ribbon School.

The Speaker announced that he had referred Senate Joint Resolution No. 514 to the Committee on Calendar.

Senate Joint Resolution No. 515 -- Memorials, Professional Achievement -- Jim and Doris Demos, 2011 Business Legends of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 515 to the Committee on Calendar.

Senate Resolution No. 71 -- General Assembly, Confirmation of Appointment -- J. Brian Ferguson, University of Tennessee Board of Trustees.

The Speaker announced that he had referred Senate Resolution No. 71 to the Committee on Education.

Senate Resolution No. 72 -- General Assembly, Confirmation of Appointment -- Spruell Driver, Jr., University of Tennessee Board of Trustees.

The Speaker announced that he had referred Senate Resolution No. 72 to the Committee on Education.

Senate Resolution No. 73 -- General Assembly, Confirmation of Appointment -- Tommy G. Whitaker, University of Tennessee Board of Trustees.

The Speaker announced that he had referred Senate Resolution No. 73 to the Committee on Education.

Senate Resolution No. 74 -- Naming and Designating -- "Tennessee School Choice Week", January 22-28, 2012.

The Speaker announced that he had referred Senate Resolution No. 74 to the Committee on Education.

NOTICES

MESSAGE FROM THE HOUSE

January 18, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1514. The House lifted the tabling motion to reconsider Senate Bill No. 1514, reconsidered Senate Bill No. 1514, adopted Amendment No. 3 and repassed Senate Bill No. 1514, as amended.

JOE MCCORD,
Chief Clerk.

THURSDAY, JANUARY 19, 2012 -- 44TH LEGISLATIVE DAY

**THE SUPREME COURT OF TENNESSEE
AT NASHVILLE**

AMENDMENTS TO TENNESSEE RULES OF APPELLATE PROCEDURE

ORDER

The order was received and filed with the Clerk.

**THE SUPREME COURT OF TENNESSEE
AT NASHVILLE**

AMENDMENTS TO TENNESSEE RULES OF CIVIL PROCEDURE

ORDER

The order was received and filed with the Clerk.

**THE SUPREME COURT OF TENNESSEE
AT NASHVILLE**

AMENDMENTS TO TENNESSEE RULES OF EVIDENCE

ORDER

The order was received and filed with the Clerk.

**THE SUPREME COURT OF TENNESSEE
AT NASHVILLE**

AMENDMENTS TO TENNESSEE RULES OF CRIMINAL PROCEDURE

ORDER

The order was received and filed with the Clerk.

**THE SUPREME COURT OF TENNESSEE
AT NASHVILLE**

AMENDMENTS TO TENNESSEE RULES OF JUVENILE PROCEDURE

ORDER

The order was received and filed with the Clerk.

CONSENT CALENDAR NO. 1

House Joint Resolution No. 518 -- Memorials, Personal Occasion -- Bob and Faye Carroll, 50th wedding anniversary.

THURSDAY, JANUARY 19, 2012 -- 44TH LEGISLATIVE DAY

House Joint Resolution No. 519 -- Memorials, Personal Occasion -- Bob and Maie Edmonds, 60th wedding anniversary.

House Joint Resolution No. 521 -- Memorials, Death -- Justice A.A. Birch.

House Joint Resolution No. 524 -- Memorials, Professional Achievement -- Lettie Kendall, Robert M. Wormsley Outstanding County Official of the Year.

House Joint Resolution No. 528 -- Memorials, Recognition -- Phi Theta Kappa, 94th annual convention.

House Joint Resolution No. 529 -- Memorials, Professional Achievement -- Don Elsea, 2011 National AAU Folkstyle Referee of the Year.

House Joint Resolution No. 530 -- Memorials, Personal Achievement -- Charlie Baker, 2011 National Senior Olympics.

House Joint Resolution No. 531 -- Memorials, Sports -- Friendship Christian School, Class A State Volleyball Champions.

House Joint Resolution No. 532 -- Memorials, Personal Occasion -- Estelle Hayes, 101st birthday.

House Joint Resolution No. 533 -- Memorials, Retirement -- Judge Barbara Haynes.

Senate Joint Resolution No. 496 -- Memorials, Death -- Carle M. Davis.

Senate Joint Resolution No. 497 -- Memorials, Professional Achievement -- Captain Jeff Burchfield, Albert Pierce Medal for Heroism.

Senate Joint Resolution No. 498 -- Memorials, Death -- Michael Rawlings.

Senate Joint Resolution No. 501 -- Memorials, Professional Achievement -- Donald Samuels, National Commander of DAV.

Senate Joint Resolution No. 502 -- Memorials, Death -- Reverend Carl R. Resener.

Senate Joint Resolution No. 503 -- Memorials, Retirement -- Rich Boyd.

Senate Joint Resolution No. 504 -- Memorials, Death -- Jeanette Rudy.

Senate Joint Resolution No. 505 -- Memorials, Recognition -- Whitaker-Motlow House, National Register of Historic Places.

Senator Faulk moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	32
Noes	0

THURSDAY, JANUARY 19, 2012 -- 44TH LEGISLATIVE DAY

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

MOTION

Senator Faulk moved that Rule 19 and Rule 38 be suspended for the purpose of making and considering Consent Calendar No. 2 consisting of the following resolutions: **House Joint Resolutions Nos. 534, 536, 537, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553 and 555**; and **Senate Joint Resolutions Nos. 508, 509, 510, 511, 512, 514 and 515**, which motion prevailed.

CONSENT CALENDAR NO. 2

House Joint Resolution No. 534 -- Memorials, Recognition -- Sites Jewelers.

House Joint Resolution No. 536 -- Memorials, Sports -- Greeneville High School football team, 2011 Class 4A State Champion.

House Joint Resolution No. 537 -- Memorials, Recognition -- Memphis Center for Independent Living.

House Joint Resolution No. 540 -- Memorials, Recognition -- Craig Morgan.

House Joint Resolution No. 541 -- Memorials, Professional Achievement -- Steve Cropper.

House Joint Resolution No. 542 -- Memorials, Recognition -- Blake McMeans.

House Joint Resolution No. 543 -- Memorials, Death -- Roger Dean Ingvalson.

House Joint Resolution No. 544 -- Memorials, Heroism -- Josh Bostic.

House Joint Resolution No. 545 -- Memorials, Personal Achievement -- David Evan Horton, Eagle Scout.

House Joint Resolution No. 546 -- Memorials, Personal Occasion -- Pat and Charlotte Blair, 50th wedding anniversary.

House Joint Resolution No. 547 -- Memorials, Public Service -- Otis Munsey.

House Joint Resolution No. 548 -- Memorials, Personal Occasion -- Lynn and Carolyn Carter, 50th wedding anniversary.

House Joint Resolution No. 549 -- Memorials, Sports -- Rogersville City School Warriors football team.

House Joint Resolution No. 550 -- Memorials, Recognition -- Paul Tudor Jones.

THURSDAY, JANUARY 19, 2012 -- 44TH LEGISLATIVE DAY

House Joint Resolution No. 551 -- Memorials, Sports -- Briá Sanders, *Golf Digest* scholarship.

House Joint Resolution No. 552 -- Memorials, Retirement -- Freda Greene Martin.

House Joint Resolution No. 553 -- Memorials, Recognition -- Larry McElroy.

House Joint Resolution No. 555 -- Memorials, Personal Achievement -- Shane Wolfe, Eagle Scout.

Senate Joint Resolution No. 508 -- Memorials, Death -- Dr. Grover C. Jewell.

Senate Joint Resolution No. 509 -- Memorials, Death -- Charlie Reagan.

Senate Joint Resolution No. 510 -- Memorials, Death -- W.G. "Dub" Currie.

Senate Joint Resolution No. 511 -- Memorials, Heroism -- Lance Corporal Cody Evans.

Senate Joint Resolution No. 512 -- Memorials, Sports -- Friendship Christian School football team, 2011 Class 2A State Champion.

Senate Joint Resolution No. 514 -- Memorials, Recognition -- Fred J. Page High School, National Blue Ribbon School.

Senate Joint Resolution No. 515 -- Memorials, Professional Achievement -- Jim and Doris Demos, 2011 Business Legends of the Year.

Senator Faulk moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1514 -- Redistricting, Legislative -- As introduced, updates references to 2010 TIGER system and geography; clarifies provisions concerning districts, terms and vacancies prior to November 2012 elections; clarifies that contiguity by water is sufficient. Amends TCA Section 3-1-102.

HOUSE AMENDMENT NO. 3

AMEND by deleting the following language in subdivision (d)(32) of Section 3:

Blocks (020820): 1000;

and by substituting instead the following language:

Blocks (020820): 1000

Tipton County;

Senator Norris moved that the Senate concur in House Amendment No. 3 to **Senate Bill No. 1514**, which motion prevailed by the following vote:

Ayes 22
Noes 10

Senators voting aye were: Beavers, Bell, Berke, Campfield, Crowe, Faulk, Gresham, Johnson, Kelsey, Ketron, Massey, McNally, Norris, Overbey, Roberts, Southerland, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--22.

Senators voting no were: Barnes, Burks, Finney, Ford, Harper, Haynes, Henry, Herron, Marrero and Stewart--10.

A motion to reconsider was tabled.

**STATEMENT OF SENATOR MARK NORRIS
PURSUANT TO RULE 61
January 19, 2012**

The motion to concur in the House action arises as a result of my request that the record be corrected to properly reflect the inclusion of Tipton County in Senate Bill No. 1514, as originally presented on the floor of the Senate and in documents supporting passage of Senate Bill No. 1514, as amended. Notwithstanding my inclusion of Tipton County in the redistricting bill, as amended, in the Senate Judiciary Committee and as moved for adoption on the floor of the Senate, I was notified by our legislative legal team that, during the process of preparing to engross the bill before it was transmitted to the Governor for signature, it was discovered that one line of the bill, as amended, was inadvertently dropped when formatting the bill. That single line of the bill had only two words in it: Tipton County. Considering that Senate Bill No. 1514 otherwise has 1163 lines, 28,470 characters, and 6,021 words in it, I am grateful that the proofing process actually worked, we were able to address the typographical error before our work product was complete, and the intent of the sponsor was upheld. Although it may not have been necessary to do so through formal floor action, given the importance of the matter at hand, I deemed it best to bring the matter to the General Assembly's attention and correct the record in this way. I appreciate the indulgence of my colleagues.

/s/ Mark Norris
Senator

MOTION

Senator Norris moved that Rule 31 be suspended for the Second Regular Session of the 107th General Assembly for the purpose of requiring all bills with any fiscal impact other than

THURSDAY, JANUARY 19, 2012 -- 44TH LEGISLATIVE DAY

"minimal" or "not significant" to be referred to the Committee on Finance, Ways and Means after consideration by the appropriate standing committee, which motion prevailed.

RECALL OF BILL

On motion of Senator Finney, **Senate Bills Nos. 1356, 1360, 1390, 1947 and 1948** were recalled from the Committee on State and Local Government.

WITHDRAWAL OF BILL

On motion of Senator Finney, Senate Bills Nos. 1356, 1360, 1390, 1947 and 1948 were withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Finney, **Senate Bills Nos. 762, 1359, 1363, 1367, 1379 and 1383** were recalled from the Committee on Finance, Ways and Means.

WITHDRAWAL OF BILL

On motion of Senator Finney, Senate Bills Nos. 762, 1359, 1363, 1367, 1379 and 1383 were withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Finney, **Senate Bills Nos. 1014, 1351, 1352, 1353, 1377, 1385 and 2133** were recalled from the Committee on Commerce, Labor and Agriculture.

WITHDRAWAL OF BILL

On motion of Senator Finney, Senate Bills Nos. 1014, 1351, 1352, 1353, 1377, 1385 and 2133 were withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Finney, **Senate Bills Nos. 1386 and 1478** were recalled from the Committee on Transportation and Safety.

WITHDRAWAL OF BILL

On motion of Senator Finney, Senate Bills Nos. 1386 and 1478 were withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Finney, **Senate Bills Nos. 587 and 1382** were recalled from the Committee on Education.

WITHDRAWAL OF BILL

On motion of Senator Finney, Senate Bills Nos. 587 and 1382 were withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Finney, **Senate Bills Nos. 1369 and 1370** were recalled from the Committee on Government Operations.

WITHDRAWAL OF BILL

On motion of Senator Finney, Senate Bills Nos. 1369 and 1370 were withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Finney, **Senate Bills Nos. 885, 886, 887, 888, 889 and 890** were recalled from the Committee on Judiciary.

WITHDRAWAL OF BILL

On motion of Senator Finney, Senate Bills Nos. 885, 886, 887, 888, 889 and 890 were withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Finney, **Senate Bill No. 593** was recalled from the Committee on Energy and Environment.

WITHDRAWAL OF BILL

On motion of Senator Finney, Senate Bill No. 593 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Finney, **Senate Bill No. 1388** was recalled from the Committee on Delayed Bills.

WITHDRAWAL OF BILL

On motion of Senator Finney, Senate Bill No. 1388 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Overbey, **Senate Bill No. 2361** was recalled from the Committee on Finance, Ways and Means.

WITHDRAWAL OF BILL

On motion of Senator Overbey, Senate Bill No. 2361 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Overbey, **Senate Bill No. 789** was recalled from the Committee on Health and Welfare.

WITHDRAWAL OF BILL

On motion of Senator Overbey, Senate Bill No. 789 was withdrawn from the Senate.

MOTION

On motion of Senator Barnes, his name was added as prime sponsor of **Senate Bill No. 1376**.

On motion of Senator Overbey, his name was added as sponsor of **Senate Bills Nos. 2199, 2222, 2234, 2241 and 2251**.

On motion of Senator Tracy, his name was added as sponsor of **Senate Bills Nos. 2201, 2236 and 2237; and Senate Joint Resolution No. 505**.

On motion of Senator Johnson, his name was added as sponsor of **Senate Bills Nos. 2202, 2212, 2216, 2228 and 2246**.

On motion of Senator Ketron, his name was added as sponsor of **Senate Bills Nos. 2203, 2215, 2217, 2218, 2220, 2472, 2480, 2492, 2495 and 2496**.

On motion of Senator Yager, his name was added as sponsor of **Senate Bills Nos. 2205 and 2253**.

On motion of Senator Watson, his name was added as sponsor of **Senate Bills Nos. 2207, 2224, 2225 and 2229**.

On motion of Senator Gresham, her name was added as sponsor of **Senate Bill No. 2208**.

On motion of Senator Kelsey, his name was added as sponsor of **Senate Bill No. 2210**.

On motion of Senator Southerland, his name was added as sponsor of **Senate Bills Nos. 2211 and 2238; and House Joint Resolution No. 536**.

On motion of Senator Massey, her name was added as sponsor of **Senate Bills Nos. 2213 and 2223; and House Joint Resolution No. 542**.

On motion of Senator McNally, his name was added as sponsor of **Senate Bills Nos. 2219, 2230, 2232, 2233 and 2235**.

On motion of Senator Crowe, his name was added as sponsor of **Senate Bills Nos. 2221 and 2240**.

On motion of Senators Yager and Ketron, their names were added as sponsors of **Senate Bill No. 2226**.

On motion of Senators Crowe and Ketron, their names were added as sponsors of **Senate Bill No. 2227**.

On motion of Senators Gresham and Ketron, their names were added as sponsors of **Senate Bill No. 2231**.

THURSDAY, JANUARY 19, 2012 -- 44TH LEGISLATIVE DAY

On motion of Senator Bell, his name was added as sponsor of **Senate Bills Nos. 2242 and 2249.**

On motion of Senator Faulk, his name was added as sponsor of **Senate Bills Nos. 2243, 2247 and 2248; and House Joint Resolutions Nos. 546, 547, 548 and 549.**

On motion of Senator Campfield, his name was added as sponsor of **Senate Bill No. 2244.**

On motion of Senator Gresham, her name was added as prime sponsor of **Senate Bill No. 2545.**

On motion of Senator Massey, her name was removed as sponsor of **Senate Bill No. 2545.**

On motion of Senators Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Joint Resolution No. 501.**

On motion of Senators Harper and Herron, their names were added as sponsors of **Senate Joint Resolutions Nos. 502 and 504.**

On motion of Senators Berke, Harper, Herron, Norris, Overbey and Tracy, their names were added as sponsors of **Senate Joint Resolution No. 503.**

On motion of Senator Herron, his name was added as sponsor of **Senate Joint Resolution No. 509.**

On motion of Senators Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Joint Resolution No. 511.**

On motion of Senators Tracy, Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Watson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Joint Resolution No. 515.**

On motion of Senator Roberts, his name was added as sponsor of **House Joint Resolutions Nos. 518, 519 and 532.**

On motion of Senators Ford, Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **House Joint Resolution No. 521.**

On motion of Senators Overbey and Tracy, their names were added as sponsors of **House Joint Resolution No. 524.**

On motion of Senator Ford, her name was added as sponsor of **House Joint Resolution No. 528.**

THURSDAY, JANUARY 19, 2012 -- 44TH LEGISLATIVE DAY

On motion of Senators Watson, Bell and Campfield, their names were added as sponsors of **House Joint Resolution No. 529.**

On motion of Senators Marrero, Tracy and Watson, their names were added as sponsors of **House Joint Resolution No. 530.**

On motion of Senator Beavers, her name was added as sponsor of **House Joint Resolution No. 531.**

On motion of Senators Henry, Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **House Joint Resolution No. 533.**

On motion of Senator Barnes, his name was added as sponsor of **House Joint Resolution No. 534.**

On motion of Senator Marrero, her name was added as sponsor of **House Joint Resolution No. 537.**

On motion of Senators Crowe and Marrero, their names were added as sponsors of **House Joint Resolution No. 541.**

On motion of Senators Berke and Watson, their names were added as sponsors of **House Joint Resolution No. 543.**

On motion of Senator Stewart, his name was added as sponsor of **House Joint Resolution No. 544.**

On motion of Senators Stewart and Yager, their names were added as sponsors of **House Joint Resolution No. 545.**

On motion of Senators Marrero and Tate, their names were added as sponsors of **House Joint Resolutions Nos. 550, 551 and 552.**

On motion of Senators Finney and Stewart, their names were added as sponsors of **House Joint Resolution No. 553.**

On motion of Senators Stewart and Yager, their names were added as sponsors of **House Joint Resolution No. 555.**

ENGROSSED BILLS

January 19, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined Senate Joint Resolutions Nos. 496, 497, 498, 501, 502, 503, 504, 505, 508, 509, 510, 511, 512 and 514; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk.

THURSDAY, JANUARY 19, 2012 -- 44TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

January 19, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 567, 569, 571, 572, 573, 574, 575, 578, 583 and 584; adopted, for the Senate's action.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

January 19, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 515, concurred in by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

January 19, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 221. Senate Joint Resolution 221 completed its first reading on May 19, 2011, second reading on May 20, 2011, third and final reading on May 21, 2011, and was concurred in by a majority vote on January 19, 2012, pursuant to Article XI, Section 3 of the Constitution of Tennessee.

JOE MCCORD,
Chief Clerk.

ENROLLED BILLS

January 19, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 221 and 515, and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk.

MESSAGE FROM THE HOUSE

January 19, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 518, 519, 521, 524, 528, 529, 530, 531, 532, 533, 534, 536, 537, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553 and 555; for the signature of the Speaker.

JOE MCCORD,
Chief Clerk.

SIGNED

January 19, 2012

The Speaker announced that he had signed the following: Senate Joint Resolution No. 515.

THURSDAY, JANUARY 19, 2012 -- 44TH LEGISLATIVE DAY

SIGNED

January 19, 2012

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 518, 519, 521, 524, 528, 529, 530, 531, 532, 533, 534, 536, 537, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553 and 555.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, January 23, 2012: Senate Bills Nos. 1680 and 1283.

This the 20th day of January, 2012.
MIKE FAULK, Chairperson.

ADJOURNMENT

Senator Norris moved the Senate adjourn until 5:00 p.m., Monday, January 23, 2012, which motion prevailed.